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S. JOINING TELEGRAM Department of State

INDICATE COMINT
 CHARGE TO

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Classification

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SENT TO: Embassy MOSCOW MACT 458

RETD INFO: Embassy PARIS PRIORITY 98Y
 Embassy LONDON PRIORITY 76Y
 Embassy BONN PRIORITY 355
 USRER BERLIN PRIORITY 124

PARIS pass USRER

United States, and British, French and German Embassies here have agreed on text of identical notes of protest from British,

French and American Governments to USSR over recent actions GDR Government in Berlin, to be delivered separately in Moscow Thursday morning, August 17, 1961. Text of notes will be published Friday, August 18, 1961, at 10 a.m. Washington time. Other Governments involved are being requested to notify their Embassies in Moscow of approval. Embassy Moscow should coordinate delivery with those Embassies, and is authorized to accept any minor changes which may

be proposed. Agreed text reads:

DECLASSIFICATION DATE 6/29/77PER Midway Office EurFADRC FOI CASE NO. 7:0567-CatbirdPA OR FOI EXEMPTIONS
BEGIN VERNAMIN TEXT:

"THE EMBASSY OF THE UNITED STATES PRESENTS ITS COMPLIMENTS TO THE MINISTER OF FOREIGN AFFAIRS AND UPON INSTRUCTIONS OF ITS

GOVERNMENT HAS THE HONOR TO DIRECT THE MOST SERIOUS ATTENTION OF THE GOVERNMENT OF THE USSR TO THE FOLLOWING.

ON AUGUST 13, EAST GERMAN AUTHORITIES PUT INTO EFFECT SEVERAL

S/O: JCT/JM/ma 8/15/61

The Secretary

EUR - Mr. Kohler
 L - Mr. Chayes (in draft)
 S/S -

White House - The President

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SECURITY INFORMATION

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MEASURES REGULATING MOVEMENT AT THE BOUNDARY OF THE WESTERN SECTORS AND THE SOVIET SECTOR OF THE CITY OF BERLIN. THESE MEASURES HAVE THE EFFECT OF LIMITING, TO A DEGREE APPROACHING COMPLETE PROHIBITION, PASSAGE FROM THE SOVIET SECTOR TO THE WESTERN SECTORS OF THE CITY. THREE MEASURES WERE ACCCOMPANIED BY THE CLOSING OF THE SECTOR BOUNDARY BY A SIZEABLE DEPLOYMENT OF POLICE FORCES AND BY MILITARY DETACHMENTS BROUGHT INTO BERLIN FOR THIS PURPOSE.

ALL THIS IS A FLAGRANT, AND PARTICULARLY SERIOUS, VIOLATION OF THE QUADRIPARTITE STATUS OF BERLIN. FREEDOM OF MOVEMENT WITH RESPECT TO BERLIN WAS REAFFIRMED BY THE QUADRIPARTITE AGREEMENT OF NEW YORK OF MAY 4, 1949, AND BY THE DECISION TAKEN AT PARIS ON JUNE 20, 1949, BY THE COUNCIL OF THE MINISTERS OF FOREIGN AFFAIRS OF THE FOUR POWERS. THE UNITED STATES GOVERNMENT HAS NEVER ACCEPTED THAT LIMITATIONS CAN BE IMPOSED ON FREEDOM OF MOVEMENT WITHIN BERLIN. THE BOUNDARY BETWEEN THE SOVIET SECTOR AND THE WESTERN SECTORS OF BERLIN IS NOT A STATE FRONTIER. THE UNITED STATES GOVERNMENT CONSIDERS THAT THE MEASURES WHICH THE EAST GERMAN AUTHORITIES HAVE TAKEN ARE ILLEGAL. IT REITERATES THAT IT DOES -THAT- NOT ACCEPT THE PRETENSION ~~BOUWEN XELGENEK~~ THE SOVIET SECTOR OF BERLIN FORMS A PART OF THE SO-CALLED "GERMAN DEMOCRATIC REPUBLIC" AND THAT BERLIN IS SITUATED ON ITS TERRITORY. SUCH A PRETENSION IS IN ITSELF A VIOLATION OF THE

SOLEMNLY

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Page 3 of telegram to American Embassy Moscow

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SOLEMNLY PLEDGED WORD OF THE USSR IN THE AGREEMENT ON THE ZONES OF OCCUPATION IN GERMANY AND THE ADMINISTRATION OF GREATER BERLIN. MOREOVER THE UNITED STATES GOVERNMENT CANNOT ADMIT THE RIGHT OF THE EAST GERMAN AUTHORITIES TO AUTHORIZE THEIR ARMED FORCES TO ENTER THE SOVIET SECTOR OF BERLIN.

BY THE VERY ADMISSION OF THE EAST GERMAN AUTHORITIES, THE MEASURES WHICH HAVE JUST BEEN TAKEN ARE MOTIVATED BY THE FACT THAT AN EVER INCREASING NUMBER OF INHABITANTS OF EAST GERMANY WISH TO LEAVE THIS TERRITORY. THE REASONS FOR THIS EXODUS ARE KNOWN. THEY ARE SIMPLY THE INTERNAL DIFFICULTIES IN EAST GERMANY.

TO JUDGE BY THE TERMS OF A DECLARATION OF THE WARSAW PACT POWERS PUBLISHED ON AUGUST 19, THE MEASURES IN QUESTION ARE SUPPOSED TO HAVE BEEN RECOMMENDED TO THE EAST GERMAN AUTHORITIES BY THOSE POWERS. THE UNITED STATES GOVERNMENT NOTES THAT THE POWERS WHICH ASSOCIATED THEMSELVES WITH THE USSR BY SIGNING THE WARSAW PACT ARE THUS INTERVENING IN A DOMAIN IN WHICH THEY HAVE NO COMPETENCE.

IT IS TO BE NOTED THAT THIS DECLARATION STATES THAT THE MEASURES TAKEN BY THE EAST GERMAN AUTHORITIES ARE "IN THE INTERESTS OF THE GERMAN PEOPLES THEMSELVES". IT IS DIFFICULT TO SEE ANY BASIS FOR THIS STATEMENT, OR TO UNDERSTAND WHY IT SHOULD BE FOR THE MEMBERS OF THE WARSAW PACT TO DECIDE WHAT ARE THE INTERESTS OF THE GERMAN PEOPLE. IT IS EVIDENT THAT NO GERMANS, PARTICULARLY THOSE WHOSE FREEDOM OF MOVEMENT IS BEING FORCIBLY RESTRAINED, THINK THIS IS SO. THIS WOULD BECOME ABUNDANTLY CLEAR IF ALL GERMANS WERE ALLOWED A FREE CHOICE, AND THE PRINCIPLE OF SELF-DETERMINATION WERE ALSO APPLIED IN THE SOVIET SECTOR OF BERLIN AND IN EAST GERMANY.

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THE UNITED STATES GOVERNMENT SOLEMNLY PROTESTS AGAINST THE MEASURES
-TAKEN IN AN AREA FOR IS
REFERRED TO ABOVE, WHICH ~~IS~~ THE SOVIET GOVERNMENT RESPONSIBLE. THE
UNITED STATES GOVERNMENT EXPECTS THE SOVIET GOVERNMENT TO PUT AN END TO THESE
ILLEGAL MEASURES. THIS UNILATERAL INFRINGEMENT OF THE QUADRIPARTITE STATUS
OF BERLIN CAN ONLY INCREASE EXISTING TENSION AND ~~INCREASED TENSION~~
~~MANUFACTURED TENSION~~

DANGER;

END OF VERNAM TEXT.

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